

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Case No. 1:23-cr-00546

Plaintiff,

-vs-

JUDGE DAVID A. RUIZ

RICO PHANG,

ORDER

Defendant.

This matter was before the Court on October 8, 2024, for a final hearing and sentencing in connection with the Government's request for revocation of Defendant Rico Phang's supervised release. The Defendant was present and represented by counsel.

Previously, the Court referred a Violation Report and Superseding Violation Report to Magistrate Judge Armstrong who held a Supervised Release Violation hearing on March 15, 2024, and a status conference on May 31, 2024. Defendant admitted to multiple violations: Violation Number 1: Failure to Comply with Substance Abuse Treatment on multiple occasions, Violation Number 2: Failure to Comply with Substance Abuse Testing on multiple occasions, and Violation Number 3: Illicit Drug Use on multiple occasions. The Magistrate Judge issued two Report and Recommendations dated March 15, 2024 and June 4, 2024. No party filed an objection to the Report and Recommendation. Upon review, the Court adopted each Report and Recommendation.

Since then, the Court has received two additional Superseding Violation Reports, setting forth additional violations of Defendant's treatment conditions and additional instances of illicit drug use, as detailed in Violations 1 through 6.¹ During the October 8th hearing, the Defendant confirmed his

¹ The Superseding Violation Report, R. 31, separately listed two instances of Defendant's drug use as Violations 4 and 5, and the Court confirmed that Defendant admitted to each instance, which were previously included in Violation 3. The Report included additional instances of Violation 1 and a Violation 6 detailing new drug use.

admission to each of the Violations, knowingly waived his right to a probable cause hearing on the new violations and requested the Court proceed to sentencing, as set forth on the record. The Court found Defendant committed Violations 1 through 6, revoked supervise release, and sentenced Defendant to the custody of the Bureau of Prisons for six months followed by no additional term of supervised release, for the reasons set forth on the record. Credit for time served in Federal custody.

The Court granted Defendant's Motion to self-surrender to the U.S. Marshal Service. Defendant shall self-surrender to the U.S. Marshal Service on Friday, October 11, 2024, at 10:00 a.m.

Finally, the defense requested the United States Marshal Service and Bureau of Prisons consider placement of defendant at Medina County Jail, but placement shall remain within the discretion of the United States Marshal Service and Bureau of Prisons.

IT IS SO ORDERED.

Date: October 10, 2024

/s/ David A. Ruiz

David A. Ruiz
United States District Judge